

# State of South Dakota

SEVENTY-NINTH SESSION  
LEGISLATIVE ASSEMBLY, 2004

493J0632

## SENATE HEALTH AND HUMAN SERVICES COMMITTEE ENGROSSED NO. **SB 147** - 01/28/2004

Introduced by: Senators Moore and Olson (Ed) and Representatives Michels and Hunhoff

1 FOR AN ACT ENTITLED, An Act to establish a fund for rehabilitation services for persons  
2 with spinal cord or traumatic brain injuries and the research of spinal cord and traumatic  
3 brain injuries and to create an advisory council for the disbursement of the fund.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

5 Section 1. There is established in the state treasury the spinal cord and traumatic brain injury  
6 fund. Any liquidated costs collected pursuant to section 2 of this Act and any federal grants,  
7 private donations, and other moneys designated for the spinal cord and traumatic brain injury  
8 fund shall be deposited in the fund. The moneys in the fund shall be appropriated by the  
9 Legislature to the Department of Human Services for the purpose of funding rehabilitation  
10 services for persons with spinal cord or traumatic brain injuries and funding research projects  
11 that promote the advancement of knowledge in the area of spinal cord and traumatic brain  
12 injury. Notwithstanding § 4-8-21, any unexpended or unobligated moneys may not revert to the  
13 fund from which appropriated.

14 Section 2. Any person convicted of any violation of § 32-23-1 shall, in addition to any other  
15 penalty, assessment, or fine provided by law, pay a liquidated cost in the amount of twenty-five



1 dollars, which shall be deposited in the spinal cord and traumatic brain injury fund.

2 Section 3. There is created an advisory council on spinal cord and traumatic brain injury.

3 The advisory council shall be composed of nine members, two of which shall be persons who

4 have a spinal cord injury and one who has had a traumatic brain injury. The balance of the

5 advisory council shall consist of physicians and other allied health professionals who have

6 expertise in the area of spinal cord and traumatic brain injuries. The secretary of the Department

7 of Human Services shall appoint the members. Terms on the advisory council shall be four

8 years, with no member serving more than two terms. Any member unwilling or unable to fulfill

9 a term shall be succeeded by a member chosen by the secretary to fulfill that term. If the

10 unexpired balance of the replaced member's term is less than eighteen months, the succeeding

11 member may be reappointed by the secretary twice. The advisory council shall provide advice

12 and expertise to the department regarding the disbursement of the funds in the spinal cord and

13 traumatic brain injury fund.